IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

JAMEEL SHABAZZ and ALFRED TORRES, Individually, and on Behalf of All Others Similarly Situated,)))
Plaintiffs,)
v.) Case No. 07 CV 126 (VM)
MORGAN FUNDING CORP., DANIEL MACKLE, DANIEL LOUIS and FRANK CARDIA,) ECF CASE)
Defendants.)

ORDER

The Clerk of the Court is directed to substitute the attached document for Docket No. 94-15 in this action.

Dated: 22 day of December, 2009

BY THE COURT:

Victor Marrero U.S.D.J.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:

DATE FILED:

EXHIBIT M

	Page 1	,	Page 3
1	_	1	
	UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	2	STIPULATIONS
	Case No. 07 CV 126 (GEL) ECF Case	3	IT IS HEREBY STIPULATED AND AGREED, by
5	X	4	and among counsel for the respective
6	JAMEEL SHABAZZ and ALFRED TORRES,	5	parties hereto, that the filing, sealing
. ,	Individually, and on Behalf of All Others	6	and certification of the within deposition
8	Similarly Situated, Plaintiffs,	7	shall be and the same are hereby waived;
9	-against-	8	IT IS FURTHER STIPULATED AND AGREED
10	MORGAN FUNDING CORP., DANIEL MACKLE,	9	that all objections, except as to form of
11	DANIEL LOUIS and FRANK CARDIA,	10	the question, shall be reserved to the
11	Defendants.	11	time of the trial;
: 12	2 storied not	12	IT IS FURTHER STIPULATED AND AGREED
	X	13	that the within deposition may be signed
13	500 Fifth Avenue		before any Notary Public with the same
14	New York, New York		force and effect as if signed and sworn to
15	August 13, 2009		before the Court.
	11:16 a.m.	17	
16 17		18	
18	DEPOSITION of DANIEL MACKLE, one	19	
19	of the Defendants in the above-entitled	20	
	action, held at the above time and place,	21	
	taken before Barbara P. Goldsmith, a Shorthand Reporter and Notary Public of	22	
	the State of New York, pursuant to the	23	
	Federal Rules of Civil Procedure, and	24	
25	stipulations between Counsel.	25	
1	Page 2		Page 4
1 2		1	
	Page 2 APPEARANCES:	1 2	THE VIDEOGRAPHER: Good morning.
3	APPEARANCES: ERIK H. LANGELAND, P.C.	3	THE VIDEOGRAPHER: Good morning. My name is Adam Lee of Veritext New
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1 DANIEL MACKLE	1 DANIEL MACKLE
2 Talia Harari.	2 A. A couple of months ago.
3 MR. GELBER: Lawrence Gelber for	3 Q. In what case?
4 defendants.	4 A. I have some cases but against
5 We have an objection to the	5 Morgan Funding.
6 videotaping of this deposition and I	6 Q. Okay. And are these cases based
7 would like an opportunity to voir dire	7 on the Truth and Lending Act?
8 the witness before we proceed.	8 A. Yes.
9 MR. LANGELAND: Okay.	9 Q. Okay. Are they all is it all
10 DANIEL MACKLE,	10 one case or are there multiple cases?
11 having been first duly sworn by a	11 A. Multiple cases.
12 Notary Public of the State of New	12 Q. Okay. Is it the same law firm
13 York, upon being examined, testified	13 that's bringing the cases against?
14 as follows:	14 A. Yes.
15 VOIR DIRE EXAMINATION	15 Q. And are you being sued
16 BY MR. GELBER:	16 individually?
17 Q. Mr. Mackle, are you suffering	17 A. Yes.
18 from to the best of your knowledge, are	18 Q. And you're being sued as Morgan
19 you suffering from any type of fatal	19 Funding as well?
20 disease?	20 A. Yes.
21 A. No.	21 Q. Is Mr. Cardia being sued, to
22 Q. Are you planning to leave the	22 your knowledge, in any of those cases?
23 country, to move out of the country within	23 A. No.
24 the next 12 months?	Q. And is Mr. Louis being sued in
25 A. No.	17h any of those cases?
	25 any of those cases?
1	Page 6 Page 8
1 DANIEL MACKLE	Page 6 Page 8
DANIEL MACKLE Q. Is there any event that you are	Page 6 Page 8 1 DANIEL MACKLE 2 A. Yes.
DANIEL MACKLE Q. Is there any event that you are aware of, either by virtue of health,	Page 6 1 DANIEL MACKLE 2 A. Yes. 3 Q. And is Mr. Colletta being sued
DANIEL MACKLE Q. Is there any event that you are aware of, either by virtue of health, intention to relocate, or any other event	Page 6 1 DANIEL MACKLE 2 A. Yes. 3 Q. And is Mr. Colletta being sued 4 in any of those cases?
DANIEL MACKLE Q. Is there any event that you are aware of, either by virtue of health, intention to relocate, or any other event that you can think of that would prevent	Page 6 1 DANIEL MACKLE 2 A. Yes. 3 Q. And is Mr. Colletta being sued 4 in any of those cases? 5 A. No.
DANIEL MACKLE Q. Is there any event that you are aware of, either by virtue of health, intention to relocate, or any other event that you can think of that would prevent you from appearing at trial as a witness	Page 6 1 DANIEL MACKLE 2 A. Yes. 3 Q. And is Mr. Colletta being sued 4 in any of those cases? 5 A. No. 6 Q. Is anybody else being sued who
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DANIEL MACKLE Q. Is there any event that you are aware of, either by virtue of health, intention to relocate, or any other event that you can think of that would prevent you from appearing at trial as a witness in this case? A. No.	Page 6 1 DANIEL MACKLE 2 A. Yes. 3 Q. And is Mr. Colletta being sued 4 in any of those cases? 5 A. No. 6 Q. Is anybody else being sued who 7 is an owner of Morgan Funding? 8 A. No.
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1 DANIEL MACKLE	1 DANIEL MAC	Page 1
2 will there be eight depositions; do you	2 A. Yes.	NLE
3 know?	3 Q. What's that hou	1002
4 A. No, I believe that was the only		
		ve, Pomona, New
5 one.	5 York 10970.	
6 Q. Okay. What is your	6 Q. Is that right acre	oss the street
7 understanding of your oath?	7 from Dan Louis?	
A. I don't understand the question.	8 A. Yes.	
9 Q. Okay. You gave an oath just now	9 Q. Okay. He still o	owns that house
10 to the court reporter, didn't you?	10 across the street?	
11 A. Yes.	11 A. As far as I know	v.
12 Q. Okay. What's your understanding	12 Q. Do you own an	y other houses?
13 of what that means?	13 A. Yes.	
14 MR. GELBER: We're going to just	14 Q. Where?	
15 object to the question. You can	15 A. Hicksville, Long	ı Island.
16 answer.	16 Q. What's the add	
17 A. To tell the truth,	17 A. 62 East End Av	
18 Q. Okay. And if I ask you a	18 Q. Do you have ar	
19 question and you don't understand, will	19 estate?	., 54.6. (54)
20 you ask me to rephrase it and I'll do	20 A. No.	
21 that?	21 Q. Do you have ar	interest in any
22 A. Yes.	22 other real estate?	Tillerest in any
23 Q. Okay. If I'm asking you a	23 A. No.	
24 question, will you just let me finish the		nurchased any real
25 question and then you can answer it?	25 estate in Hoboken, Ne	purchased any real
	 	w Jersey?
Page 1 DANIEL MACKLE	1 DANIEL MAC	Page 1
2 A. Sure.	2 A. No.	
3 Q. Great. And you have to give	3 Q. What's your ph	one number?
4 your answers in words, not, you know, nods	4 A. (201) 240-4754	
5 of your head or uh-huhs so the court	. ,	
6 reporter can take it down. Can you do		one?
7 that?		- 0
8 A. Sure.		er?
9 Q. Great. Okay. Did you do	8 A. Verizon.	
10 anything to prepare for today's	9 Q. How long have	you had that
11 deposition?	10 number?	
·	11 A. Ten years, may	
p = 1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 =	12 Q. Has Verizon alv	ways been the
- wyci i wwyci i	13 carrier?	
14 A. No.	14 A. No.	
15 Q. Okay. Did you review any	15 Q. You've had diffe	erent carriers?
16 documents?	16 A. Yes.	-
17 A. No.	17 Q. What other carr	iers have vou
18 Q. What is your current address?	18 had?	,
19 A. 3204 High View Way, Pomona, New	19 A. I don't recall. I'v	e had
100 14-1-100-0	20 Verizon for quite a while	e.
20 York 10970.		
20 York 10970. 21 Q. And do you own that?	21 Q. How long?	
20 York 10970. 21 Q. And do you own that? 22 A. No.		
20 York 10970. 21 Q. And do you own that? 22 A. No. 23 Q. You're renting?	22 A. A few years.	rial Security
 20 York 10970. 21 Q. And do you own that? 22 A. No. 23 Q. You're renting? 24 A. Yes. 	22 A. A few years.23 Q. What's your Soo	cial Security
20 York 10970. 21 Q. And do you own that? 22 A. No. 23 Q. You're renting?	22 A. A few years.	-

Page 13	Page 15
1 DANIEL MACKLE	1 DANIEL MACKLE
2 Q. And do you have an e-mail	2 address?
3 address?	3 A. No.
4 A. Dmackle@aol.	4 Q. Is dmackle@pendulummarkets.com
5 Q. How long have you had	5 still active?
6 dmackle@aol.com?	6 A. Yes.
7 A. Probably 15 years.	7 Q. How long have you had that
8 Q. Still have access to the e-mails	8 e-mail address?
9 on that account?	9 A. Probably two or three years.
10 A. I think they keep them for 60	10 Q. Do you have a service that keeps
11 days or something.12 Q. Did you receive e-mails from	11 your e-mails or provides your e-mails to
13 Morgan Funding or related to Morgan	12 you? 13 MR. GELBER: I don't understand
14 Funding at that account?	14 the question.
15 A. Probably not.	15 MR. LANGELAND: Let me see if I
16 Q. Why?	16 can rephrase it. That was a bad
17 MR. GELBER: I object to the	17 question. I'll withdraw that question
18 question. You're asking him why other	18 and I'll see if I can rephrase it.
19 people chose not to send e-mails to	19 Q. Do you have like an exchange
20 him at a particular you're asking	20 server?
21 him to opine to what's in the mind of	21 A. I don't think so, no. I don't
22 somebody who would send an e-mail. I	22 know a lot about that, though.
23 mean	23 Q. Okay. Do you know if your
24 MR. LANGELAND: Okay.	24 e-mails are directly on your computer or
25 Q. Do you understand my question?	25 are they at some off site location?
Page 14	Page 16
1 DANIEL MACKLE	1 DANIEL MACKLE
2 A. I don't know. I don't know why	2 A. I think it depends on the e-mail
3 they didn't. I guess they didn't have	2 oddrogo
4 that a mail address.	3 address.
4 that e-mail address.	4 Q. Okay. And for Morgan Funding,
5 Q. Okay. Do you have another	4 Q. Okay. And for Morgan Funding,5 was it an off site location?
5 Q. Okay. Do you have another 6 e-mail address?	4 Q. Okay. And for Morgan Funding,5 was it an off site location?6 A. No.
Q. Okay. Do you have anothere-mail address?MR. GELBER: Don't guess, by the	 4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer?
 Q. Okay. Do you have another e-mail address? MR. GELBER: Don't guess, by the way, don't guess about anything. 	 4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct.
 Q. Okay. Do you have another e-mail address? MR. GELBER: Don't guess, by the way, don't guess about anything. A. Yes. 	 4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for
 Q. Okay. Do you have another e-mail address? MR. GELBER: Don't guess, by the way, don't guess about anything. A. Yes. Q. What was your other e-mail 	 4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for 10 dmackle@pendulummarkets.com, was that an
 Q. Okay. Do you have another e-mail address? MR. GELBER: Don't guess, by the way, don't guess about anything. A. Yes. Q. What was your other e-mail address? 	4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for 10 dmackle@pendulummarkets.com, was that an 11 off site location?
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5 Q. Okay. Do you have another 6 e-mail address? 7 MR. GELBER: Don't guess, by the 8 way, don't guess about anything. 9 A. Yes. 10 Q. What was your other e-mail 11 address? 12 A. Dmackle@morganfundingcorp.com. 13 Q. And that's where you primarily 14 received e-mails relating to Morgan	4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for 10 dmackle@pendulummarkets.com, was that an 11 off site location? 12 A. I believe those are all 13 captured, yes.
5 Q. Okay. Do you have another 6 e-mail address? 7 MR. GELBER: Don't guess, by the 8 way, don't guess about anything. 9 A. Yes. 10 Q. What was your other e-mail 11 address? 12 A. Dmackle@morganfundingcorp.com. 13 Q. And that's where you primarily 14 received e-mails relating to Morgan 15 Funding?	4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for 10 dmackle@pendulummarkets.com, was that an 11 off site location? 12 A. I believe those are all 13 captured, yes.
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 Q. Okay. Do you have another e-mail address? MR. GELBER: Don't guess, by the way, don't guess about anything. A. Yes. Q. What was your other e-mail address? A. Dmackle@morganfundingcorp.com. Q. And that's where you primarily received e-mails relating to Morgan Funding? A. Yes. Q. Okay. How long did you have that e-mail address? A. Probably eight or nine years. Q. Do you still have it? A. Yes. Q. Do you have any other e-mail addresses? 	4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for 10 dmackle@pendulummarkets.com, was that an 11 off site location? 12 A. I believe those are all 13 captured, yes. 14 Q. Okay. And for dmackle@aol.com? 15 A. I don't know how AOL does. I 16 don't think they keep it off site. 17 MR. GELBER: Don't guess. 18 A. I don't know. 19 Q. Okay. You don't know. All 20 right. How do you know that the e-mails 21 were stored on the computer at Morgan 22 Funding? 23 A. They just were. They were
 Q. Okay. Do you have another e-mail address? MR. GELBER: Don't guess, by the way, don't guess about anything. A. Yes. Q. What was your other e-mail address? A. Dmackle@morganfundingcorp.com. Q. And that's where you primarily received e-mails relating to Morgan Funding? A. Yes. Q. Okay. How long did you have that e-mail address? A. Probably eight or nine years. Q. Do you still have it? A. Yes. Q. Do you have any other e-mail 	4 Q. Okay. And for Morgan Funding, 5 was it an off site location? 6 A. No. 7 Q. It was on the computer? 8 A. Correct. 9 Q. And for 10 dmackle@pendulummarkets.com, was that an 11 off site location? 12 A. I believe those are all 13 captured, yes. 14 Q. Okay. And for dmackle@aol.com? 15 A. I don't know how AOL does. I 16 don't think they keep it off site. 17 MR. GELBER: Don't guess. 18 A. I don't know. 19 Q. Okay. You don't know. All 20 right. How do you know that the e-mails 21 were stored on the computer at Morgan 22 Funding?

		Page 17		Page 19	
1	DANIEL MACKLE	rage II	1		I
	they were downloaded on your individual		2	2 floor?	
	computer or were they on a server?	İ	3	3 A. Yes.	
4	A. I'm not sure.		4	4 Q. Okay. And Mr. Cardia testified	Ì
5	Q. You had a server there, though,		5	5 that he also had an office at 411	
6	right?		6	6 Hackensack Avenue. Was that in your	i
7	A. I don't know. I don't know if		7	7 office?	i
8	we had an e-mail server.		8	8 A. No.	!
9	Q. Did you have a computer room?		9	9 Q. Was it next to your office?	i
10	A. Yes.		10		ŀ
11	 Q. And did you have a computer 		11		İ
	network at Morgan Funding?			2 distinguish, was one a particular suite	i
13	A. Yes.			3 number or it just says, yours says	-
14	Q. Okay. Could you access, you		1	4 Pendulum Capital and theirs says something	i
	know, try to centralize documents or			5 else?	ļ
	common documents through your office		16	·	İ
	computer?		17	, , ,	
- 18	A. Like what kind of documents?			8 door?	
19	Q. Were there documents that were		19		
	kind of for everybody's use or maybe for		20	•	
21	the executives' use at Morgan Funding? A. No.		21 22	·	
23	Q. No documents that you guys would		23	, ,	
1	fill out?			24 percent sure member of FINRA, whatever,	-
25	A. We had a point data server which			25 something like that.	
	71. Tro had a point data sorter which		. 20	to something into that:	
		D 10	1	D 06	
1	DANIEL MACKLE	Page 18	1	Page 20	0
1 2		Page 18	1 2	1 DANIEL MACKLE	0
i		Page 18	2	1 DANIEL MACKLE	0
i	I guess all the anyone could access it,	Page 18	2	DANIEL MACKLE Q. Okay. Are there any other business names on the door that you	0
3	I guess all the anyone could access it, or the processors anyway.	Page 18	2	DANIEL MACKLE Q. Okay. Are there any other business names on the door that you A. It probably says Securities	0
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Page 21	Page 23
1 DANIEL MACKLE	1 DANIEL MACKLE
2 MR. GELBER: Don't guess.	2 Morgan Funding employees about this case?
3 A. I don't know. I guess	3 A. No.
4 mortgages.	4 Q. Not at all?
5 MR. GELBER: Don't guess.	5 A. No.
6 THE WITNESS: Okay.	6 Q. You haven't had any
7 Q. You never talked to him about	7 conversations with Cardia or Louis or
8 what he was doing?	8 MR. GELBER: Can you clarify
9 A. It was just known that he was	9 when you say about this case?
10 doing mortgages. It wasn't he didn't	10 MR. LANGELAND: About this case
11 need to clarify it to me.	11 in any way.
12 Q. Okay. Do you know who he worked	12 A. Well, I spoke yeah, I spoke
13 for?	13 to Dan Louis and Frank Cardia about it.
14 A. Probably National Future.	14 Q. Okay. First of all, with Dan
15 Q. Was he working for you at that	15 Louis, when was that conversation?
16 time?	16 A. I don't know offhand.
17 A. No.	17 Q. Okay. How many conversations
18 Q. Not at all?	18 have you had with him about the case?
19 A. No.	19 A. Maybe two.
20 Q. Was he working for any company	20 Q. Okay. And what was said in each
21 that was owned in part or in full by you?	21 of the conversations?
22 A. No.	22 MR. GELBER: First of all,
23 Q. Have you ever been arrested?	23 they're both defendants and so you're
24 A. No.	24 impinging on joint defense privileges.
25 Q. Have you ever we've already	25 MR. LANGELAND: Okay. Let me
Page 22	D 04
Page 22 1 DANIEL MACKLE	Page 24 1 DANIEL MACKLE
1 DANIEL MACKLE	1 DANIEL MACKLE
DANIEL MACKLEcovered this. Other than those TALA	1 DANIEL MACKLE 2 ask
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1 DANIEL MACKLE 2 covered this. Other than those TALA 3 lawsuits, have you been sued? 4 A. No. 5 MR. GELBER: Hold on. This 6 is you're in a divorce. 7 THE WITNESS: I sued her. 8 MR. GELBER: Oh, okay. Sorry. 9 All right. 10 THE WITNESS: That's why I	DANIEL MACKLE ask MR. GELBER: So I have a problem with you asking him about the content of conversations with any named defendant, specifically Dan Louis and Frank Cardia. Q. Well, was any lawyer present during your conversation? A. No.
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Page 25	5 Page 2	27
1 DANIEL MACKLE	1 DANIEL MACKLE	
2 Q. When was that?	2 company?	
3 A. Again, I'm not sure.	3 A. No. The corporation is still	1
4 Q. That was a recent conversation,	4 is not shut down.	!
5 though?	Q. The corporation still exists.	į
6 A. Yeah.	6 Okay. But you ceased operating; is	
7 Q. Okay. And what about the first	7 that	İ
8 conversation?	8 A. Correct.	
9 A. I don't remember specific	9 Q. Okay. And who made that	
10 conversations.	10 decision?	i
11 Q. Okay. But you testified that	11 A. I did.	i
12 you had maybe two conversations with him?	12 Q. Why?	i
13 A. Uh-huh.	13 A. I couldn't pay the bills	
14 Q. Okay. And you don't remember	14 anymore.	
15 what the other conversation was?	15 Q. Okay. And did you send out a	
16 A. No.	16 notice to people that were working for	!
17 Q. Okay. And what about Frank	17 Morgan Funding at that time?	
18 Cardia?	18 A. No.	
19 A. The same. I just told him I was	19 Q. How did you let them know?	i
20 coming in for a deposition.	20 A. I just told them.	İ
21 Q. Okay. Did you speak with Craig	21 Q. You had a meeting?	1
22 Colletta about this case?	22 A. I don't think I had a meeting	
23 A. Yes.	23 with the employees. I just told them, you	
24 Q. Okay. What did you say?	24 know, probably Dan and Frank.	į
25 A. Same, I told him I was coming in	25 Q. What about Craig Colletta, did	
Page 2		28
1 DANIEL MACKLE	1 DANIEL MACKLE	
2 for a deposition.	2 you tell him?	
3 Q. Okay. Nothing else? 4 A. No.	3 A. At some point.	
5 Q. Okay. When you when did you	4 Q. Do you know when? 5 A. No.	
6 first learn about this case?		
7 A. It's been a couple of years at	6 Q. Where did you go to high school? 7 A. Queens.	
8 least.	8 Q. What was the high school name?	
9 Q. Okay. And you didn't have any	9 A. St. Francis Prep.	
10 conversations at that time with any of	10 Q. Did you go to college?	,
11 the any former employees of Morgan	11 A. Yes.	
12 Funding?	12 Q. Where?	
13 A. I don't recall.	13 A. Manhattanville College.	- 1
14 Q. When did you leave Morgan	14 Q. Okay Did you graduate?	
15 Funding?	15 A. Yes.	
16 A. The end of 2007.	16 Q. When?	
17 Q. Okay. Do you remember the date?	17 A. '91.	!
18 A. No.	18 Q. Okay. What was your degree in?	
19 Q. And when did you start Morgan	19 A. Business administration.	
20 Funding?	20 Q. Have you done any graduate	
21 A. Somewhere around 2000.	21 school?	
22 Q. Why did you leave?	22 A. No.	
23 A. The company went out of	23 Q. Have you passed any professional	
24 business.	24 examinations?	
25 Q. Okay. So you shut down the	25 A. Yes.	

Page 29	Page 31
1 DANIEL MACKLE	1 DANIEL MACKLE
2 Q. Okay.	Q. Okay. And that was just for New
3 Which ones?	3 Jersey, is that correct, or were there
4 A. Series 7, 63, 4, 24, 55, 65.	4 other mortgage solicitor licenses that you
5 Q. These all relate to the	5 had from other states?
6 financial industry?	A. Other states had it also.
7 A. Correct. I also graduated from	Q. Do you remember what states you
8 the Mortgage Bankers Association School of	8 were licensed in?
9 Mortgage Banking.	9 A. Florida, New York, Connecticut,
10 Q. Where is that?	10 Massachusetts, Pennsylvania, Nevada,
11 A. Washington, D.C.	11 California. I believe that's all the
12 Q. Washington, D.C.?	12 states.
13 A. Yes.	13 Q. Okay. Did Morgan Funding have
14 Q. Thank you.	14 offices in any of these states? 15 A. We had an office in
15 A. It's not an curriculum like a 16 college that you go to, but you take	
17 classes and what not.	16 Pennsylvania, Nevada, New York. I believe17 that was it.
18 Q. Do you get a degree or anything	18 MR. GELBER: New Jersey.
19 when you graduate?	19 A. Oh, New Jersey.
20 A. They gave me a little	20 MR. GELBER: Sorry about that,
21 certificate.	21 but sometimes you omit the obvious. I
22 Q. Okay. What does it say?	22 just wanted to.
23 A. Accredited mortgage	23 MR. LANGELAND: Right, right.
24 professional.	24 Okay, good.
25 Q. Okay. All right. And when did	25 Q. Did you have one in Florida?
Page 30	Page 32
1 DANIEL MACKLE	1 DANIEL MACKLE
2 you graduate from there?	2 A. For a small point in time we
3 A. Probably three or four years	3 did, that's right.
4 ago.	4 Q. Nothing in Connecticut?
5 Q. Not before you started at Morgan	5 A. No.
6 Funding?	6 Q. Or Massachusetts?
7 A. No.	7 A. No.
8 Q. Okay. Do you have any licenses,	8 Q. And nothing in California?
9 professional licenses?10 A. Those would probably be the	9 A. No.
111 numbers I gave you would be licenses.	10 Q. Okay. Did you take any classes 11 in law?
12 Q. Anything else?	11 III law?
13 A. No.	13 Q. Okay. Where did you work before
14 Q. Do you have any licenses for	14 you worked at Morgan Funding?
15 as a mortgage solicitor?	15 A. Barron Chase Securities.
16 A. I did. I don't anymore.	16 Q. Okay. Where was your office?
17 Q. Okay. You gave it up?	17 A. 777 Terrace Avenue, Hasbrouck
18 A. Yeah.	18 Heights, New Jersey.
19 Q. Did you resign or did they take	19 Q. What were your dates of
20 some action against you?	20 employment there?
21 A. No. I turned it in.	21 A. Roughly '97 to 2000.
22 Q. Okay. When was that?	22 Q. Why did you leave?
23 A. Sometime around the time that I	00 4 7
	23 A. The company went out of
24 closed the company or I stopped doing	24 business.

1 DANIEL MACKLE 2 A. Yes. 3 Q. Okay. And did the branch go out 4 of business or Barron Chase went out of 5 business altogether? 6 A. Barron Chase went out of 7 business altogether. 8 Q. Okay. So you, in essence, had 9 to close your branch? 10 A. Correct. 11 Q. Thank you. And then you started 12 Morgan Funding; is that right? 13 A. We probably had started it 14 already. 15 Q. You had already started it. 16 Okay. And did you also start Pendulum 17 Capital Markets or was that already 18 started? 19 A. No, I started that after Barron 20 Chase went out of business. 21 Q. Okay. When did Morgan Funding 22 start, to the best of your knowledge? 23 A. Somewhere around 2000. 24 Q. Okay. 25 MR. GELBER: Asked and answered, Page 34 1 DANIEL MACKLE 2 jt tan S corporation? 3 A. Yeah, S Corp. 4 Q. S Corp. And who are the 5 shareholders? 6 A. Myself, Craig Colletta, Deborah 1 Louis and Sharon Cardia. 8 Q. And are you equal shareholders? 9 A. Yes. 10 Q. Okay. How did it come that you 11 decided to partner with these four people? 12 A. I don't recall. 13 Q. You had known them for a while? 14 A. Yes. 15 Q. I'm sorry. What is Mrs. Louis' 16 name? 17 A. Deborah. 18 Q. Deborah. Now, Frank Cardia and 19 Dan Louis used to work for you at Barron 20 Chase; is that right? 21 A. Correct. 22 Q. Okay. And they were the subject 23 of some kind of a disciplinary action? 24 A. Yes. 25 Q. What was that, to the best of 27 A. Yes. 28 Q. And how did Morgan Funding 29 start, to the best of your knowledge? 29 A. Somewhere around 2000. 20 And how did Morgan Funding 20 Start, to the best of your knowledge? 21 A. Correct. 22 Q. Okay. And started it it decided to partner with these four people? 29 A. Yes. 20 Q. Way. And they were the subject of some kind of a disciplinary action? 20 Chase; is that right? 21 DANIEL MACKLE 2 by the way. 22 Q. Okay. And some issue with some 24 kind of opening accounts in states they 25 weren't licensed in or something along 26 those lines. 27 Q. Okay. And were they then barred 28 from being	ge 35		3	Page 33	
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7 business altogether. 8 Q. Okay. So you, in essence, had 9 to close your branch? 10 A. Correct. 11 Q. Thank you. And then you started 12 Morgan Funding; is that right? 13 A. We probably had started it 14 already. 15 Q. You had already started it. 16 Okay. And did you also start Pendulum 17 Capital Markets or was that already 18 started? 19 A. No, I started that after Barron 20 Chase went out of business. 21 Q. Okay. When did Morgan Funding 22 start, to the best of your knowledge? 23 A. Somewhere around 2000. 24 Q. Okay. 25 MR. GELBER: Asked and answered, 26 Q. And how did Morgan Funding 4 start? 27 A. Yes. 28 Q. And you incorporated it? 3 Louis and Sharon Cardia. 8 Q. And are you equal shareholders? 9 A. Yes. 10 Q. Okay. How did it come that you 11 decided to partner with these four people? 12 A. I don't recall. 13 Q. You had known them for a while? 14 A. Yes. 15 Q. I'm sorry. What is Mrs. Louis' 16 name? 17 A. Deborah. 18 Q. Deborah. Now, Frank Cardia and 19 Dan Louis used to work for you at Barron 20 Chase; is that right? 21 A. Correct. 22 Q. Okay. And they were the subject 23 of some kind of a disciplinary action? 24 A. Yes. 25 Q. What was that, to the best of 29 A. Yes. 20 Okay. And they were the subject 21 DANIEL MACKLE 2 by the way. 22 your knowledge? 3 A. They had some issue with some 4 kind of opening accounts in states they 5 weren't licensed in or something along 6 those lines. 7 Q. Okay. And were they then barred 8 from being		A. Myself, Craig Colletta, Deborah	6		
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Q. Okay. MR. GELBER: Asked and answered, Page 34 DANIEL MACKLE by the way. Q. And how did Morgan Funding 4 start? A. I don't understand the question. Q. Did you found it? A. Yes. DANIEL MACKLE 2 your knowledge? 3 A. They had some issue with some 4 kind of opening accounts in states they 5 A. I don't understand the question. 6 Q. Did you found it? 7 A. Yes. 7 Q. Okay. And were they then barred 8 from being					
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7 A. Yes. 7 Q. Okay. And were they then barred 8 Q. And you incorporated it? 8 from being			-		5
8 Q. And you incorporated it? 8 from being					
		•	1		1
		A. I believe	9	A. Yes.	9
10 Q. How did it come to be decided, 10 Q. A stockbroker?					
11 okay, I'm going to start a mortgage 12 company? 13 A. I believe so, yes. 14 Q. Okay. Do you know if they had					
			1		
13 A. I saw an ad in Entrepreneur 13 fines levied against them? 14 magazine for the loan consultants and I 14 A. I don't know.		-			
15 called them and they did training and 15 Q. Well, as the branch owner,			i		
16 everything. Walked us through the ropes. 16 wouldn't you have learned what the					
17 Q. Okay. So you learned how to 17 allegations against them and the outcome					
18 become a loan officer?			:		18
19 A. Correct, and how to open a 19 A. No, because they were already					
20 company. 20 gone from the firm by the time the outcome					20
21 Q. Okay. And where did you 21 happened.				Q. Okay. And where did you	21
22 incorporate Morgan Funding? 22 Q. I see. Did you fire them?			22		
23 A. I believe New Jersey. 23 A. No.		A. No.		,	
Q. What was the incorporation? I 24 Q. Did the firm close?					
25 mean, what kind of corporation is it; is 25 A. I don't really recall the			25	mean, what kind of corporation is it; is	25

	Page 3	.]	Page 3	9
: 1	DANIEL MACKLE	1	DANIEL MACKLE	1
	timeline.	. 2	Q. And at some point you had	
: 3	Q. Okay. So you don't know if they		decided to incorporate and you decided who	
4		4	the shareholders would be?	
	closed?	5	A. Yes.	-
6	A. I'm not sure.	6	Q. Okay. How would you decide that	!
. 7	Q. Okay. By the way, you're a	7	you would work it out this way?	
8		8	A. You know, I'm not sure. It was	
9	A. No.	9	a while ago.	
10		10		
11	A. Thank you for the compliment	11	something, you sat around, went out for	!
12		12		
13	•	13		
14		14		1
15	•	15		i
16		16		
17		17		
18		18	•	:
19		19	pick. I have a problem with that.	İ
20		20	·	
± 21		21		
: 22	•	22	• •	!
23	-	23		İ
24	company with the four people that you	24	A. I don't know if there is an	
	agreed?	25	answer to this. It's just the way it was.	
: "	Page 3	8	Page 4	10
1		1	DANIEL MACKLE	
2	A. I don't know.			
		2	,	ı
3	,	3	Okay? But you were the one who were	İ
4	come about that you chose them as let	3	Okay? But you were the one who were you the one who actually went and got the	
5	come about that you chose them as let me back up.	3 4 5	Okay? But you were the one who were you the one who actually went and got the incorporation documents done?	
5 6	come about that you chose them as let me back up. MR. GELBER: Yes, the question	3 4 5 6	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes.	
5	come about that you chose them as let me back up. MR. GELBER: Yes, the question was	3 4 5 6 7	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer?	
4 5 6 7 8	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the	3 4 5 6 7	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online.	
4 5 6 7 8	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company?	3 4 5 6 7 8 9	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay.	
4 5 6 7 8 9	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company? A. Yes.	3 4 5 6 7 8 9	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay. A. Cheaper.	
4 5 6 7 8 9	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company? A. Yes. Q. Okay. And then how did you pick	3 4 5 6 7 8 9 10	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay. A. Cheaper. Q. Do you have a vote or anything?	
4 5 6 7 8 9 10 11	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company? A. Yes. Q. Okay. And then how did you pick these other folks to join you?	3 4 5 6 7 8 9 10 11	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay. A. Cheaper. Q. Do you have a vote or anything? A. No.	
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4 5 6 7 8 9 10 11 12 13	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company? A. Yes. Q. Okay. And then how did you pick these other folks to join you? MR. GELBER: Wait, hold on. I'm going to object to the phrase, join	3 4 5 6 7 8 9 10 11 12 13	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay. A. Cheaper. Q. Do you have a vote or anything? A. No. Q. I mean corporate interests. No? A. No.	
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44 55 66 77 88 99 100 111 122 133 144 155 166 177 188 199 200 211 222	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company? A. Yes. Q. Okay. And then how did you pick these other folks to join you? MR. GELBER: Wait, hold on. I'm going to object to the phrase, join you. By other folks I assume you're referring to the investors, right? Or are you referring to the people who were going to work with him? It's a little ambiguous there. MR. LANGELAND: You're right. MR. GELBER: Or a lot ambiguous. Q. You have equal shareholders with	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay. A. Cheaper. Q. Do you have a vote or anything? A. No. Q. I mean corporate interests. No? A. No. Q. Was there an investment into the business? A. Yes. Q. How much was the investment? A. It had to be somewhere in the ballpark of \$50,000. Q. So each of the investors, I mean each of the shareholders invested \$50,000?	
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	come about that you chose them as let me back up. MR. GELBER: Yes, the question was Q. Was it your idea to start the mortgage company? A. Yes. Q. Okay. And then how did you pick these other folks to join you? MR. GELBER: Wait, hold on. I'm going to object to the phrase, join you. By other folks I assume you're referring to the investors, right? Or are you referring to the people who were going to work with him? It's a little ambiguous there. MR. LANGELAND: You're right. MR. GELBER: Or a lot ambiguous. Q. You have equal shareholders with you in the S corp. for Morgan Funding, right?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Okay? But you were the one who were you the one who actually went and got the incorporation documents done? A. Yes. Q. Did you see a lawyer? A. No. I think I did it online. Q. Okay. A. Cheaper. Q. Do you have a vote or anything? A. No. Q. I mean corporate interests. No? A. No. Q. Was there an investment into the business? A. Yes. Q. How much was the investment? A. It had to be somewhere in the ballpark of \$50,000. Q. So each of the investors, I mean each of the shareholders invested \$50,000? A. No. It was \$50,000 total.	

-	Page 41		Page 43
1	DANIEL MACKLE	1	DANIEL MACKLE
2	A. I don't think so, no.	2	that. Let me go backwards.
3	Q. Who put in what?	3	What was your title at Morgan
4	A. To the best of my recollection,	4	Funding?
5	Craig and I put the \$50,000 and Deborah	5	A. CEO and president.
6	and Sharon came on as owners later on,	6	Q. And did you hold any other
7	after the company was established.	7	titles while you were there?
8	Q. I see. So when you originally	8	A. I may have signed off on
9	incorporated, was it just you and Craig	9	secretary. I'm not sure. Maybe chairman,
	Colletta; is that who were the	10	too.
11	shareholders?	11	Q. Okay.
12	A. I think so.	12	MR. GELBER: Grand poobah.
13	Q. Okay. Do you have documents,	13	THE WITNESS: That's why I'm
	for example, minutes of your meetings or	14	sitting here now.
	anything like that when you incorporated?	15	Q. Were you the you were the top
16	A. I could look. I'm not sure.		executive at Morgan Funding?
17	Q. And what about, do you have	17	A. Yes.
18	did you receive stock certificates and did	18	Q. Okay. And who reported to you?
19	·	19	A. Really the managers.
20	A. Probably not.	20	Q. Who were the managers?
21	Q. Okay. And how did anybody know	21	A. Dan and Frank ran the Dan
22	how much they were entitled to?	22	Louis and Frank Cardia ran the Jersey City
23	A. I mean, they were on the tax		office. We had Doug Geist and Gary Unger
1	returns as owners.		ran the New Brunswick office.
25		25	Q. Okay.
	Page 42	i	Page 44
1	DANIEL MACKLE	1	DANIEL MACKLE
	they were equal owners?	2	 A. We had a few different managers
3	A. I'm not sure. I don't know how		in New York. But predominantly Mike
. 4	the tax returns are.	4	Verdicchio managed there.
5	 Q. Was there any document among you 	5	Q. Okay.
	that specified who, you know, who were the	6	 A. I'm trying to think of names.
	owners or this is what our deal is?		Robert Andino ran, actually, the Las Vegas
	A. I don't think we ever done	8	office.
	anything.	9	 Q. How many loan officers were in
10	Q. You never wrote up some formal		Robert Andino's office?
11	document?	11	A. I'm not sure. I don't it was
12	A. I don't believe so.		pretty short lived. I don't think he had
13	Q. Did you used to keep a meeting		too many.
	minutes for the corporation or, you know,	14	Q. Okay. Were there other
	the corporate documents?		managers?
16	A. I believe we have yearly	16	A. Yeah. The names escape me. I
17		i	think there was a few others.
18	MR. LANGELAND: I'll mark the	18	Q. Where did Craig Colletta fit in?
19	record and call for the production of	19	 A. He was a passive investor.
20	those documents.	20	Q. Did he have a role in the
21	MR. GELBER: We'll take it under	21	company?
22	advisement. I think it's irrelevant,	22	A. Not really.
23	but	23	Q. Did he have a title with the
24	Q. While you were at Morgan	24	• •
. 20	Funding, were you always the strike	25	A. I don't think so.

	Page 45 Page 47
1 DANIEL MACKLE	1 DANIEL MACKLE
2 Q. Did he have a Morgan Funding	2 A. He was a broker, I suppose.
3 e-mail address?	3 Q. Okay. Did he have any ownership
4 A. I'm not sure.	4 interest in the branch that you had?
 Q. Did he have any mailbox at 	5 A. Yes.
6 Morgan Funding?	6 Q. What was the ownership interest?
7 A. What do you mean by mailbox?	7 A. 50/50.
8 MR. GELBER: Yes.	8 Q. Okay. When you moved over to
9 Q. Like, was there any place that	9 the Journal Square office, did Colletta
10 he received mail at Morgan Funding?	10 also move over?
11 A. No.	11 A. No. He had actually left Barron
12 Q. Was he did he have an office	12 Chase already. He had started up another
13 at Morgan Funding?	13 company.
14 A. No.	14 Q. What company was that?
15 Q. Where was the office starting in	15 A. I can't remember the name of it.
16 2000, was there an office for Morgan	16 It was, like, an Internet company.
17 Funding when you founded it?	17 Q. Okay. And you don't remember
18 A. Yeah.	18 the date that you got an office at 26
19 Q. Where was it?	19 Journal Square. Do you remember where it
20 A. 26 Journal Square.	20 was?
21 Q. So once you incorporated it, you	MR. GELBER: Where 26 Journal
22 got the office space?	22 Square was?
23 A. I don't know if it was right	MR. LANGELAND: Where his office
24 away.	24 was in 26 Journal Square.
25 Q. Okay. At some point after you	25 MR. GELBER: You mean on what
1 DANIFI MACKI F	Page 46 Page 48
1 DANIEL MACKLE 2 incorporated, you got the office space?	Page 46 Page 48
2 incorporated, you got the office space?	Page 46 1 DANIEL MACKLE 2 floor?
2 incorporated, you got the office space?3 A. I don't know if it was right	Page 46 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah.
2 incorporated, you got the office space?3 A. I don't know if it was right4 away.	Page 46 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor.
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry.
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 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry.
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 	Page 46 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had?
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No.
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was?
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 13 A. I did not, no. 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was? 13 A. Well, I had a J.P. Turner
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 13 A. I did not, no. 14 Q. Where was your office? 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was? 13 A. Well, I had a J.P. Turner 14 office. When Barron Chase went out of
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 13 A. I did not, no. 14 Q. Where was your office? 15 A. I was still in Hasbrouck Heights 	Page 48 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was? 13 A. Well, I had a J.P. Turner 14 office. When Barron Chase went out of 15 business, we went over to J.P. Turner,
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 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 13 A. I did not, no. 14 Q. Where was your office? 15 A. I was still in Hasbrouck Heights 16 at 777 Terrace Avenue. 17 Q. Okay. And at some point you 18 came over to Journal Square? 19 A. Correct. 20 Q. Okay. When was that? 21 A. I'm not sure. 22 Q. Okay. By the way, did Craig 	Page 46 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was? 13 A. Well, I had a J.P. Turner 14 office. When Barron Chase went out of 15 business, we went over to J.P. Turner, 16 another brokerage firm. 17 Q. Okay. So, and was this a branch 18 office? 19 A. Yes. 20 Q. And was it your own branch? 21 A. Yes. 22 Q. And was it your own branch?
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 13 A. I did not, no. 14 Q. Where was your office? 15 A. I was still in Hasbrouck Heights 16 at 777 Terrace Avenue. 17 Q. Okay. And at some point you 18 came over to Journal Square? 19 A. Correct. 20 Q. Okay. When was that? 21 A. I'm not sure. 22 Q. Okay. By the way, did Craig 23 Colletta work with you at Barron Chase? 	Page 46 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was? 13 A. Well, I had a J.P. Turner 14 office. When Barron Chase went out of 15 business, we went over to J.P. Turner, 16 another brokerage firm. 17 Q. Okay. So, and was this a branch 18 office? 19 A. Yes. 20 Q. And was it your own branch? 21 A. Yes. 22 Q. And was it your own branch? 23 A. Myself and Craig.
 2 incorporated, you got the office space? 3 A. I don't know if it was right 4 away. 5 Q. Okay. At some point after you 6 incorporated. Okay. And where was the 7 office? 8 A. 26 Journal Square. 9 Q. On the second floor? 10 A. Correct. 11 Q. Okay. And you had an office, 12 too, there? 13 A. I did not, no. 14 Q. Where was your office? 15 A. I was still in Hasbrouck Heights 16 at 777 Terrace Avenue. 17 Q. Okay. And at some point you 18 came over to Journal Square? 19 A. Correct. 20 Q. Okay. When was that? 21 A. I'm not sure. 22 Q. Okay. By the way, did Craig 	Page 46 1 DANIEL MACKLE 2 floor? 3 MR. LANGELAND: Yeah. 4 A. It was on the second floor. 5 MR. GELBER: I'm sorry. 6 Q. Was it in the same space that 7 Morgan Funding had? 8 A. No. 9 Q. It was next to it? 10 A. Yes. 11 Q. Okay. And did you have a sign 12 on the wall where your office was? 13 A. Well, I had a J.P. Turner 14 office. When Barron Chase went out of 15 business, we went over to J.P. Turner, 16 another brokerage firm. 17 Q. Okay. So, and was this a branch 18 office? 19 A. Yes. 20 Q. And was it your own branch? 21 A. Yes. 22 Q. And was it your own branch?

	Page 49		Page 51
1	DANIEL MACKLE	1	DANIEL MACKLE
2	Q. Okay. So what you did was you	2	A. Probably every day.
	opened an office at the 26 Journal Square	3	Q. Okay. And do you remember
4	location and that was a J.P. Turner	4	seeing loan officers in there?
. 5	office?	5	A. Do I remember seeing them? I
6	A. Correct.	6	don't specifically remember seeing anyone,
7	Q. Okay. And was it also a Morgan	7	no. I'm sure they were there, though.
8	Funding office, in other words, I guess	8	Q. Okay. Did each of the loan
	you conducted business for Morgan Funding	9	officers get a phone?
	there?	10	A. Yes.
11	A. No. There was two separate	11	Q. Okay. And how many phones were
12	offices.	12	in that office?
13	Q. Okay. While you oh, okay.	13	A. I'm not sure.
14	While you were at the 26 Journal Square	14	Q. By the way, you have a phone
	location on the second floor, how long was	15	company, don't you?
[:] 16	your office there?	16	A. No.
17	A. I'm not sure. A couple of	17	 Q. Did you ever have an interest in
18	years.	18	a phone company?
19	Q. A couple of years. And then did	19	A. No.
20	Morgan Funding get bigger space?	20	MR. GELBER: Hold on. You mean
21	A. Yes.	21	like investing in AT&T?
22	Q. Okay. And it was still in the	22	MR. LANGELAND: Yeah, right.
23	26 Journal Square office?	23	 Q. Not an investment in AT&T or
24		24	something like that, but if you have an
25	Q. Okay. And what floor was it on?	25	ownership in some kind of a company that
	Page 50	ı	Dago FO
1 4		_	Page 52
1	DANIEL MACKLE	1	DANIEL MACKLE
2	DANIEL MACKLE A. Ninth.	1 2	DANIEL MACKLE provided phone service.
2	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was	1 2 3	DANIEL MACKLE provided phone service. A. No.
3 4	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding?	1 2 3 4	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all?
3 4 5	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe,	1 2 3 4 5	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No.
3 4	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly.	1 2 3 4	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone
2 3 4 5 6 7	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for	1 2 3 4 5 6	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding?
2 3 4 5 6 7 8	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers?	1 2 3 4 5 6 7 8	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't
2 3 4 5 6 7 8	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes.	1 2 3 4 5 6 7 8 9	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember.
2 3 4 5 6 7 8 9	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks?	1 2 3 4 5 6 7 8 9	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in
2 3 4 5 6 7 8 9 10	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure.	1 2 3 4 5 6 7 8 9 10	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere?
2 3 4 5 6 7 8 9 10 11	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10?	1 2 3 4 5 6 7 8 9 10 11 12	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there.	1 2 3 4 5 6 7 8 9 10 11 12 13	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan
2 3 4 5 6 7 8 9 10 11 12 13	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on	1 2 3 4 5 6 7 8 9 10 11 12 13 14	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether, you know, it was more than 10 loan officers at any one time?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes. Q. You remember signing checks for the phone company for phone service?
2 3 4 5 6 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether, you know, it was more than 10 loan officers at any one time? A. I'm not sure.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes. Q. You remember signing checks for the phone company for phone service? A. I don't remember it, but I'm
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether, you know, it was more than 10 loan officers at any one time? A. I'm not sure. Q. Did you go into the second floor	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes. Q. You remember signing checks for the phone company for phone service? A. I don't remember it, but I'm sure I did.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether, you know, it was more than 10 loan officers at any one time? A. I'm not sure.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes. Q. You remember signing checks for the phone company for phone service? A. I don't remember it, but I'm sure I did. Q. Okay. But you don't remember
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether, you know, it was more than 10 loan officers at any one time? A. I'm not sure. Q. Did you go into the second floor office for Morgan Funding while you were	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes. Q. You remember signing checks for the phone company for phone service? A. I don't remember it, but I'm sure I did. Q. Okay. But you don't remember who it was?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	DANIEL MACKLE A. Ninth. Q. Okay. By the way, how big was the second floor office of Morgan Funding? A. 2,500 square feet maybe, roughly. Q. And you had desks in there for the loan officers? A. Yes. Q. How many desks? A. I'm not sure. Q. Was it more than 10? A. Probably right around there. Q. How many loan officers worked on that second floor? A. I'm not sure. Q. Do you have a sense of whether, you know, it was more than 10 loan officers at any one time? A. I'm not sure. Q. Did you go into the second floor office for Morgan Funding while you were the CEO? A. Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	DANIEL MACKLE provided phone service. A. No. Q. Nothing at all? A. No. Q. What company provided the phone service for Morgan Funding? A. Off the top of my head, I don't remember. Q. Would that be reflected in records somewhere? A. Yes. Q. Did you pay the bills for Morgan Funding? A. Yes. Q. You signed the checks? A. Yes. Q. You remember signing checks for the phone company for phone service? A. I don't remember it, but I'm sure I did. Q. Okay. But you don't remember

1 DANIEL MACKLE 2 switch every now and again. 3 Q. Your checkbook should reflect 4 which company it was? 5 A. Yes. 6 MR. LANGELAND: We'd like to 7 call for the production of those. 8 Okay? 9 MR. GELBER: Of what? 10 MR. LANGELAND: Of the checks 11 that were paid to phone companies. 12 MR. GELBER: Take it under 13 advisement. I don't know. Do you 14 have that? 15 THE WITNESS: I have no idea. 16 MR. GELBER: Were banks still 17 returning checks back then? It 18 doesn't matter. We'll take it under 19 advisement. 20 Q. When did you move up to the 21 ninth floor? 22 A. I'm not sure. 23 Q. I'm sorry. Let me strike that. 24 When did Morgan Funding move up 25 to the ninth floor? 25 A. I believe so, yes. 6 Q. Okay. And then Morgan Funding 7 moved to the ninth floor; 8 somewhere else, right, in between? 9 A. No. 10 Q. It just moved up to the ninth 11 floor? 12 A. Yes. 13 Q. Okay. So sometime in 2002 or 14 A. Te 5 possible. 16 Q. Okay. So was that 20 simultaneously? 21 A. Yes. 22 Q. And Craig Colletta was in the —			Page 53	_	Pag	e 55
2 switch every now and again. 3 Q. Your checkbook should reflect 4 which company it was? 5 A. Yes. 6 MR. LANGELAND: We'd like to 7 call for the production of those. 8 Okay? 9 MR. GELBER: Of whal? 10 MR. LANGELAND: Of the checks 1 that were paid to phone companies. 12 MR. GELBER: Take it under 13 advisement. I don't know. Do you 14 have that? 15 THE WITNESS: I have no idea. 16 MR. GELBER: Were banks still 17 returning checks back then? It 18 doesen't matter. We'll take it under 19 advisement. 20 Q. When did you move up to the 21 ninth floor? 22 A. I'm not sure. 3 Q. You said the second floor office 4 was open for a couple of years? 5 A. I believe so, yes. 6 Q. Okay. And then Morgan Funding 7 moved to the ninth floor; it didn't move 8 somewhere else, right, in between? 9 A. No. Q. U ly ust moved up to the ninth 11 floor? 12 A. Yes. 13 Q. Okay. So sometime in 2002 or 14 2003? 15 A. It's possible. 16 Q. Okay. And where did your office 17 move? 18 A. The 15th floor. 19 Q. Okay. And where did your office 19 Q. Okay. And where did your office 20 c. Was there a waiting room or a reception area? 21 A. Yes. 22 Q. A Yes. 23 Q. I'm not sure. 3 Q. Okay. So sometime in 2002 or 4 A. No. 24 Q. Was there a waiting room or a reception area? 25 Let us a list possible. 26 Q. Okay. And then Morgan Funding move up a somewhere else, right, in between? 9 A. No. 10 Q. It just moved up to the ninth 11 floor? 12 A. Yes. 13 Q. Okay. So sometime in 2002 or 14 A. Yes. 15 Q. Do you know when that was? 16 Q. Do you know when that was? 17 The possible. 18 Q. Did you have a secretary? 19 Q. Was tigust one private office or 11 on the1 don't understand. 12 Q. In the office, in the actual 13 private office. 13 private office. 14 A. Nobody. 15 Q. In the office, in the actual 13 private office. 16 Colletta? 17 A. Yes. 18 Q. Did you have a secretary? 19 A. No, I don't believe we did, no. 20 Q. Was tigust one private office. 21 or was there a waiting room or a reception area? 22 D. A lan proved. 23 A. No, Othere was no secretary or anybody there? 2	1	DANIFI MACKLE		1	DANIEL MACKLE	I
3 Q. Your checkbook should reflect 4 which company it was? 5 A. Yes. 6 MR. LANGELAND: We'd like to call for the production of those. 8 Okay? 9 MR. GELBER: Of what? 10 MR. LANGELAND: Of the checks 11 that were paid to phone companies. 12 MR. GELBER: Take it under 13 advisement. I don't know. Do you 14 have that? 15 THE WITNESS: I have no idea. 16 MR. GELBER: Were banks still 17 returning checks back then? It 18 doesn't matter. We'll take it under 19 advisement. 20 Q. When did you move up to the 21 ninth floor? 21 A. I'm not sure. 23 Q. I'm sorry. Let me strike that. 24 When did Morgan Funding move up 25 to the ninth floor? 21 A. I'm not sure. 3 Q. You said the second floor office 4 was open for a couple of years? 5 A. No. 10 Q. It just moved up to the ninth 11 floor? 12 A. Yes. 13 Q. Okay. So sometime in 2002 or 14 A. No. 15 Q. It sys may be a secretary? 16 A. I's possible. 17 A. Ves. 18 DANIEL MACKLE 2 A. Yes. 21 Q. Okay. So sometime in 2002 or 24 2003? 25 A. I's possible. 26 Q. Okay. So sometime in 2002 or 27 A. I's possible. 28 Q. Okay. And where did your office 29 was on the second floor? 20 Q. Was there any other executive in 21 the office, in the actual private office or 21 on the -1 don't understand. 21 Q. It he office, in the actual of the extender office or 21 on the -1 don't understand. 21 Q. It was just you and Craig 21 Q. It was just you and Craig 21 Q. It was just you and verifice. 22 Q. Was it just one private office. 23 A. No, I don't believe we did, no. 24 Q. Was there a waiting room or a reception 25 area? 26 A. Pres. 27 A. I'm not sure. 28 Q. Was there are waiting room. 29 A. No. 20 Q. Was there are vaiting room. 29 A. No. 20 Q. Was there are variety or anybody there? 20 A. I'm not sure. 3 Q. Okay. And then Morgan Funding 3 A. No, there was no 4 Secretary or anybody there? 5 A. No. 6 Q. Was there any other executive in 7 the Journal Square location for Morgan 13 Funding? 14 A. I don't think so. 15 Q. Do you know when that was? 16 Q. Do you know when that was? 17 Q. Who was it? 18 Q. Who was it?				2	A. Yes.	
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1 DANIEL MACKLE 2 ninth floor? 3 A. Yes. 4 Q. He came to work every day? 5 A. For the most part. 6 Q. When did you establish your 7 e-mail string, the morganfundingcorp.com 8 e-mail? 9 A. I don't know off the top of my 10 head. 11 Q. Was it early on in the 12 corporation? 13 A. I would think so, yes. 14 Q. Do you have any requirements 15 from the banking department to keep any 16 records as a mortgage broker? 17 A. Yes. 18 Q. And what are the requirements 15 from the banking department to keep any 16 records as a mortgage broker? 19 A. I'd have to refresh my memory. 20 Q. What's your best recollection at 21 this point? 2 A. I think three years or something 23 you have to keep the loan files. 2 Q the period, as best you can 3 remember? 4 A. Yes. 5 Q. Okay. From your office on the 8 second floor, could you see into Morgan 7 Funding's office? 8 A. No. 9 Q. What time did you arrive at your 10 office? 1 DANIEL MACKLE 2 Q the period, as best you can 3 remember? 4 A. Yes. 5 Q. Okay. From your office on the 8 second floor, could you see into Morgan 7 Funding's office? 8 A. No. 9 Q. What time did you arrive at your 10 office? 1 DANIEL MACKLE 2 Q. Did you go straight into your 2 office of did you go into Morgan Funding? 3 A. I would think so, yes. 4 A. Yes. 5 Q. Did you go straight into your 10 office? 1 DANIEL MACKLE 2 Q. Did you go straight into your 10 office of did you go into Morgan Funding? 14 A. I don't remember. 15 Q. I mean, was it your habit to, 16 you know, go in and check, have a meeting 17 or anything like that at Morgan Funding? 18 A. No. 9 Q. Was it more your habit just to 19 go to your office and start working on 21 whatever it was you were working on? 22 A. There was nobody in Morgan 23 Funding at eight o'clock in the morning. 24 Q. How do you know that? 25 A. Beacuse I had been in there. 26 A. About an hour: 27 A. There was nobody in Morgan 28 Funding at eight o'clock in the morning. 29 A. How do you know that? 20 A. How do you know the ery dark and the managers det low tower? 21 A. I don't know	:		ge 57			Page 59
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